

Department of Motor Vehicles (DMV) Error

DMV errors or delays related to the issuance of license plates or registration renewal may occur. The DMV may also incorrectly identify the vehicle or the registered owner of a vehicle.

VERIFICATION FROM CONTESTEE

1. Statement explaining how the DMV error caused the violation
2. Written confirmation of the error from DMV
3. Other evidence supporting the claim of a DMV error (if written confirmation from DMV is not available)

VERIFICATION BY INVESTIGATION

1. Review documentation for authenticity, if any questions call the DMV office where the documents were issued for confirmation of facts and authenticity.
2. If no confirmation or evidence of the error is submitted, check CLETS/AP to confirm or reject the error.

DECISION

The citation should be dismissed if sufficient evidence is provided and or investigation confirms that all of the following are true:

- That a DMV error occurred
- That the error precluded the driver from complying with the relevant law
- That once known, the owner/driver took reasonable steps to follow-up, correct the error and comply with the relevant law

All other citations should be upheld.

DISMISSAL AUTHORITY:

California Vehicle Code §40215 (a)(1) - Processing Agency Investigation

California Vehicle Code §40206.5 - (Incorrect Vehicle Description)

California Vehicle Code §40210 (a), (b), (c) - Prior Sale of Vehicle

Comments: CVC 5204 (Current Registration Tabs Not Displayed) is the most common example where it is reasonable to conclude that a DMV error such as a delay in processing registration renewal precluded someone from complying with the law.